

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION**

IN RE:)	
)	
BENNY WAYNE BUTLER)	CHAPTER 7
TAMMY A. BUTLER,)	
)	CASE NO. 11-40930-mgd
Debtors.)	
<hr style="width: 40%; margin-left: 0;"/>)	
SKYDIVE ARIZONA, INC.,)	
)	
Plaintiff,)	
)	ADVERSARY PROCEEDING
v.)	CASE NO. 11-04037-mgd
)	
BENNY WAYNE BUTLER,)	
)	
Defendant.)	

PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT

COMES NOW Skydive Arizona, Inc. (“Plaintiff”), Plaintiff in the above-styled adversary proceeding (“Adversary Proceeding”), by and through the undersigned counsel and pursuant to Rule 56(a) of the Federal Rules of Civil Procedure, made applicable to this Adversary Proceeding by Rule 7056 of the Federal Rules of Bankruptcy Procedure, and files the Plaintiff’s Motion for Summary Judgment (“Motion”) seeking entry of a judgment entitling the Plaintiff to the relief sought in the Plaintiff’s Complaint to Determine Nondischargeability of Debt Pursuant to 11 U.S.C. §§ 523, 727 (“Complaint”).

In filing its Motion, the Plaintiff relies upon the pleadings on file in this Adversary Proceeding, which show that no genuine dispute as to any material fact exists and that the Plaintiff is entitled to judgment as a matter of law. The legal grounds for this Motion are more

fully explained in the Brief in Support of Plaintiff's Motion for Summary Judgment filed herewith.

WHEREFORE, the Plaintiff respectfully requests that this Court grant the relief sought in the Motion and such other and further relief as the Court deems just and proper.

This 21st day of January, 2013.

Respectfully submitted,

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Counsel for the Plaintiff

CERTIFICATE OF SERVICE

This is to certify that I have on this date served a true and correct copy of the foregoing **Plaintiff's Motion for Summary Judgment** by causing same to be deposited in the United States Mail with adequate postage affixed thereon and addressed to the following persons:

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Thomas D. Richardson
Chapter 7 Trustee
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P.O. Box 5007
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This 21st day of January, 2013.

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